

07- 5769 SBA

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT OAKLAND**

**Elizabeth Ngendo Njenga
v.
immigration and customs enforcement
San francisco**

**petition for a writ of habeas
corpus for my brother**

FILED

NOV 29 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Motion

Comes now petitioner Elizabeth Ngendo Njenga and moves this court to grant a writ of habeas corpus for my brother David Mungai Njenga alien number 91-72-8632 who is illegally detained by immigration at Tacoma Washington since January 12th 2007.

My brother was previously detained by immigration and customs for almost three years at Yuba county jail.

Sometime in 2004 my brother was granted release on bond and I became the surety and bond obligor, according to what I was told my brother will remain free until the case is finalized .

My brother is not a poor bail risk and as you can see all his family resides here in the united states.

I am a citizen of the united states and I am pleading for my brothers release under the same terms and conditions as previously granted

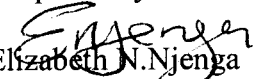
Most of the people detained with my brother have had bond hearings but my brother has not had one.

RELIEF SOUGHT

Light of the foregoing I kindly request this court to order release of my brother under the same terms and conditions as previously set

Signed and submitted this 19th day of November 2007

Respectfully submitted

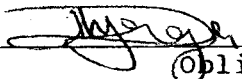

Elizabeth N. Njenga
2339 stahl ct
Gold River CA 95777

BOND OBLIGOR RESPONSIBILITIES

1. You must be able to present the Subject to an officer of this Service each and every time a demand is made of you.
2. Each demand will be made either by personal service or via certified mail, return receipt. You should always keep this Service advised of your current address.
3. The bond will remain in effect until the case is resolved. This means until the Subject is found to be legal in the United States or until a legal departure is verified.
4. When the case is resolved, you will be notified by mail to return your original bond receipt for cancellation and return of your money.
5. This Service does not keep your money. It is held in the United States Treasury receiving interest. Your money will be returned to you in the form of a United States Treasury check.
6. It will take at least 6 to 8 weeks after your receipt is returned properly for you to receive the check.
7. If you fail to receive notice and/or fail to surrender the Subject on demand, you will forfeit the bond.
8. Your receipt should be kept in a safe place. The original receipt is required for the return of your money.
9. If you have any questions about this case, always remember to include the Subject's file number in your inquiry.
10. If you ever have reason to believe you are not going to be able to guarantee the Subject's delivery to this Service upon our demand, you may have your bond cancelled by returning the Subject to the custody of this Service.

REMEMBER TO ALWAYS KEEP THIS SERVICE ADVISED OF YOUR CURRENT ADDRESS. MAIL RETURNED AS "UNDELIVERABLE" DOES NOT RELIEVE YOU OF YOUR OBLIGATION(S).

I have read and understand the above responsibilities.

Signature  ELIZABETH NJENGA Date _____
Obligor

Alien David Mungai Njenga A# 91-738-632

FILED

JUN 23 1993

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

David Njenga

Defendant.

No. CR-92-0423 BAC

ORDER FOR

VOLUNTARY SURRENDER

Defendant has requested permission to report voluntarily, at defendant's own expense, to the federal institution designated by the Attorney General for service of defendant's sentence:

IT IS ORDERED THAT:

(1) A stay of execution of defendant's sentence is GRANTED on the conditions set forth below, and during the period of the stay defendant shall remain at large on defendant's present cognizance.

(2) Defendant shall immediately report to the United States Marshal's Office, Room 20006, 450 Golden Gate Avenue, San Francisco, for further instructions, which defendant shall follow precisely.

(3) Defendant shall report to the federal institution designated by the Attorney General on or before 2:00 p.m., or to the above office of the United States Marshal on or before 12:00 Noon, on July 23, 1993.

(4) Any failure by defendant to obey all requirements of this order shall be punishable as a contempt.

FAILURE TO APPEAR as required in this order constitutes a separate offense, a violation of Section 3146 of Title 18, United States Code, and is punishable by additional imprisonment of up to five years.

Dated:

6/23/93

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.

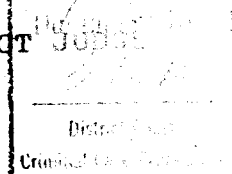
ATTEST:

RICHARD W. WIEKING
Clerk, U.S. District Court
Northern District of California

By [Signature]
Deputy Clerk

Date JUL 20 1993

UNITED STATES DISTRICT COURT



OCT 27 1993

RICHARD W. [unclear]
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID NJENGA,

Defendant.

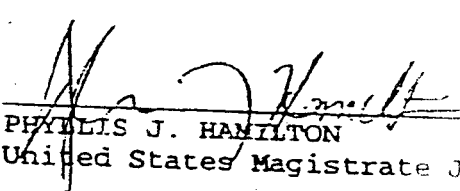
No. CR 92-0423-BAC

ORDER TO EXONERATE BOND

Defendant having reported for service of his sentence of imprisonment and AJSA Sandra Teters having been apprised and having no objection, IT IS HEREBY ORDERED that the bond posted in this case be EXONERATED. Any property or money posted on defendant Njenga's behalf in the above captioned case shall be returned or reconveyed forthwith by the Clerk of Court.

So Ordered.

DATED: October 27, 1993


PHYLLIS J. HAMILTON
United States Magistrate Judge

PTI-4187